

To: Matthiessen, Craig[Matthiessen.Craig@epa.gov]; Irizarry, Gilberto[Irizarry.Gilberto@epa.gov]; Lynch, Mary-Kay[Lynch.Mary-Kay@epa.gov]; Averbach, Jonathan[Averbach.Jonathan@epa.gov]; Tulis, Dana[Tulis.Dana@epa.gov]; Stanton, Larry[Stanton.Larry@epa.gov]; Bergman, Shawna[Bergman.Shawna@epa.gov]
Cc: Haas, Craig[Haas.Craig@epa.gov]; Belke, Jim[Belke.Jim@epa.gov]; Michaud, John[Michaud.John@epa.gov]; Jennings, Kim[Jennings.Kim@epa.gov]; Ajl, Diane[Ajl.Diane@epa.gov]
From: Corman, Bicky
Sent: Wed 2/5/2014 6:42:37 PM
Subject: Re: Freedom Industries questions from CSB

Ex. 5 - Deliberative

From: Corman, Bicky
Sent: Wednesday, February 05, 2014 9:48:46 AM
To: Matthiessen, Craig; Irizarry, Gilberto; Lynch, Mary-Kay; Averbach, Jonathan; Tulis, Dana; Stanton, Larry; Bergman, Shawna
Cc: Haas, Craig; Belke, Jim; Michaud, John; Jennings, Kim
Subject: Re: Freedom Industries questions from CSB

Thank you. I did give a heads up to Avi, to see if he thinks the AO will want to weigh in one way or another, but have not yet heard back. Will try to get an answer from him asap and let you know. Thanks again.

From: Matthiessen, Craig
Sent: Wednesday, February 05, 2014 9:43:03 AM
To: Corman, Bicky; Irizarry, Gilberto; Lynch, Mary-Kay; Averbach, Jonathan; Tulis, Dana; Stanton, Larry; Bergman, Shawna
Cc: Haas, Craig; Belke, Jim; Michaud, John; Jennings, Kim
Subject: RE: Freedom Industries questions from CSB

Bicky;

We can reach out to R3 and request the CSB investigator contact OEM (Larry Stanton or Dana Tulis) directly. And if R3 has difficulty, we are familiar with the CSB investigator and can initiate contact. And rather than an email dialog, we'll suggest a conversation (conference call, meeting) to make sure context and specific needs are well understood and articulated given CSB's recent stance with respect to EPA.

Thanks – Craig Matthiessen

R. Craig Matthiessen

OSWER/OEM/RPDD Director

202-564-8016

From: Corman, Bicky

Sent: Wednesday, February 05, 2014 8:56 AM

To: Irizarry, Gilberto; Lynch, Mary-Kay; Matthiessen, Craig; Averbach, Jonathan; Tulis, Dana; Stanton, Larry; Bergman, Shawna

Cc: Haas, Craig; Belke, Jim; Michaud, John

Subject: Re: Freedom Industries questions from CSB

I am adding Shawna. And to minimize confusion, please let Region 3 know to whom the Region 3 OSC should refer the CSB inspector, and/or that you will reach out to the inspector yourself. Communications to Region 3 should go to Dan Ryan, Shawn Garvin's chief of staff. Last, I am not sure how you all handle these situations, this is new to me, but I would like to give Avi and other AO folk a heads up re communications commencing w CSB. Will get back to you in a moment. Thanks!!

From: Irizarry, Gilberto

Sent: Wednesday, February 05, 2014 8:42:02 AM

To: Lynch, Mary-Kay; Matthiessen, Craig; Averbach, Jonathan; Tulis, Dana; Stanton, Larry

Cc: Haas, Craig; Belke, Jim; Corman, Bicky; Michaud, John

Subject: RE: Freedom Industries questions from CSB

Agreed Mary-Kay ... we would only use to speak from, not hand out Of course, being careful about anything that would be enforcement sensitive.

Thanks,

Gilberto "Tito" Irizarry, Director

Program Operations & Coordination Division

Office of Emergency Management

U.S. Environmental Protection Agency

O: 202-564-7982

C: 202-821-8138

From: Lynch, Mary-Kay
Sent: Wednesday, February 05, 2014 8:32 AM
To: Matthiessen, Craig; Irizarry, Gilberto; Averbach, Jonathan; Tulis, Dana; Stanton, Larry
Cc: Haas, Craig; Belke, Jim; Corman, Bicky; Michaud, John
Subject: Re: Freedom Industries questions from CSB

Attorney client privilege

You can use the papers for background but some of the information may have privileges including enforcement privilege. We would not just hand this out -at least not without an agreement in place the applicable privileges would be protected

From: Matthiessen, Craig
Sent: Wednesday, February 05, 2014 8:03:11 AM
To: Lynch, Mary-Kay; Irizarry, Gilberto; Averbach, Jonathan; Tulis, Dana; Stanton, Larry
Cc: Haas, Craig; Belke, Jim; Corman, Bicky; Michaud, John
Subject: RE: Freedom Industries questions from CSB

Ok; and we should be able to use the authorities papers prepared by OGC for this, right? Also, we used to ask CSB to direct requests for information through OEM since we can act as a conduit to anywhere in the agency. But they tend to make their own contacts instead. Craig

From: Lynch, Mary-Kay
Sent: Tuesday, February 04, 2014 4:56 PM
To: Irizarry, Gilberto; Averbach, Jonathan; Matthiessen, Craig
Cc: Haas, Craig; Belke, Jim; Corman, Bicky; Michaud, John
Subject: Re: Freedom Industries questions from CSB

I am on travel the rest of the week. Please work with John Michaud.

From: Irizarry, Gilberto

Sent: Tuesday, February 04, 2014 4:14:11 PM
To: Averbach, Jonathan; Matthiessen, Craig; Lynch, Mary-Kay
Cc: Haas, Craig; Belke, Jim; Corman, Bicky
Subject: RE: Freedom Industries questions from CSB

From OEM, it would likely be a combination of Craig and myself.

Gilberto "Tito" Irizarry, Director

Program Operations & Coordination Division

Office of Emergency Management

U.S. Environmental Protection Agency

O: 202-564-7982

C: 202-821-8138

From: Averbach, Jonathan
Sent: Tuesday, February 04, 2014 4:06 PM
To: Irizarry, Gilberto; Matthiessen, Craig; Lynch, Mary-Kay
Cc: Haas, Craig; Belke, Jim; Corman, Bicky
Subject: FW: Freedom Industries questions from CSB
Importance: High

Tito, Craig, Mary-Kay –

See below. The CSB investigator wants information on EPA regs that applied to the Freedom Industries spill. She directed her question to one of our OSCs.

My front office's first instinct whenever the words "CSB" come up it to pull me in because they are authorized under the CAA.

Ex. 5 - Deliberative

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Agreed?

jon

From: Corman, Bicky
Sent: Tuesday, February 04, 2014 3:58 PM
To: Ryan, Daniel; Averbach, Jonathan
Subject: Re: Freedom Industries questions

Ok we are checking. You may hear back directly from jon averback, our chemical safety board/112(r) expert. Thanks!

From: Ryan, Daniel
Sent: Tuesday, February 04, 2014 3:31:10 PM
To: Corman, Bicky
Subject: FW: Freedom Industries questions

As we discussed....

From: Burns, Francis
Sent: Tuesday, February 04, 2014 3:09 PM
To: Ryan, Daniel
Subject: FW: Freedom Industries questions

Here is CSB's e-mail.

From: Linden, melissa
Sent: Tuesday, February 04, 2014 2:57 PM
To: Burns, Francis
Subject: Fw: Freedom Industries questions

From: Gunaratnam, Rachael <Rachael.Gunaratnam@csb.gov>
Sent: Tuesday, February 04, 2014 11:50:21 AM
To: Linden, melissa
Subject: Freedom Industries questions

Hi Melissa,

I met you here in Charleston, WV during the Freedom Industries leak. Dennis gave me your email.

I wanted to follow up with you about the EPA regulations that Freedom had to comply with--- I'm trying to understand what was in place at the time of the incident. You and I were discussing this briefly with Raj (sorry if I misspelled this).

Do you have time to talk over the phone? Email works as well.

Thank you,

Rachael Gunaratnam

Investigator

U.S. Chemical Safety and Hazard Investigation Board

2175 K Street, NW Suite 400

Washington, DC 20037

202-261-3614 (office)

202-974-7617 (fax)